

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

BENNIE EARL HICKMAN

PLAINTIFF

v.

No. 4:20CV91-DAS

**WARDEN MORRIS
DEPUTY WARDEN LEE SIMON
LIEUTENANT HAMP
C/O BUTLER
C/O PARKER
C/O TOWNSEND
SUPERINTENDENT MARSHAL TURNER**

DEFENDANTS

JUDGMENT

In accordance with the memorandum opinion entered this day:

- (1) **Defendants Morris and Simon are DISMISSED** with prejudice from this case for failure to state a claim against them upon which relief could be granted;
- (2) The plaintiff's claims against defendant **Marshal Turner** regarding **general conditions of confinement** will **PROCEED**;
- (3) The plaintiff's claim against defendant **Townsend** for **use of excessive force** will also **PROCEED**; and
- (4) The plaintiff's claims against defendants **Butler, Parker, and Townsend** for **failure to protect** will **PROCEED**.

SO ORDERED, this, the 26th day of March, 2021.

/s/ David A. Sanders
DAVID A. SANDERS
UNITED STATES MAGISTRATE JUDGE